

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CORTEC CORPORATION, a Minnesota
corporation,

Plaintiff,

- against -

07 Civ. 6094 (CM)

ERSTE BANK DER OESTERREICHISCHEN
SPARKASSEN AG (ERSTE BANK), An
Austrian corporation,

Defendant.

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ORDER DISMISSING CASE

McMahon, J.:

Defendant having filed with the Court an undertaking to submit to the jurisdiction of Croatia in the event it should be sued there on the claims here in suit, and an undertaking to waive any defense asserting statute of limitations in either Croatia or Austria, the Court declares that the conditions precedent to entry of an order dismissing this case have been met. Accordingly, the Clerk of the Court is directed to enter this order dismissing the case without prejudice and without costs to either party.

Dated: February 20, 2008



U.S.D.J.

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DOC #:
DATE FILED: 2/21/08